

**AFFIDAVIT OF SPECIAL AGENT DAVID DITULLIO**

I, Special Agent David DiTullio, Drug Enforcement Administration, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent of the Drug Enforcement Administration (DEA), United States Department of Justice. As such, I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and make arrests for offenses enumerated in Title 18, United States Code, Section 2516.

2. I have been employed as a DEA Special Agent since 2000. I have personally conducted and participated in numerous federal drug trafficking investigations of individuals engaged in the illegal distribution of controlled dangerous substances. In addition, I have been involved in the execution of numerous search and seizure warrants, made arrests for violations of state and federal laws, and authored supporting affidavits. Furthermore, I have participated in the investigation of numerous drug trafficking conspiracies and cases involving the use of court-authorized disclosure of location data relating to cellular telephones.

3. In connection with my work with the DEA, I have worked with federal, state, and local law enforcement officers in the District of Massachusetts. These diverse personnel provide the DEA with an extensive breadth of experience and knowledge about illegal drug trafficking in the District of Massachusetts and elsewhere, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), and 846.

4. One such federal law enforcement agency which I have worked with is the United States Postal Inspection Service (USPIS) which utilizes Postal Inspectors to investigate criminal activity involving the United States mail, to include narcotics investigations involving the

transportation of controlled substances or proceeds/payments through the United States Postal Service.

5. Based upon my training and experience, narcotics trafficking typically involves local, interstate, and international movement of illegal drugs to distributors and co-conspirators at multiple levels, and the movement of the proceeds of narcotics trafficking among multiple participants including suppliers, customers, distributors, and money launderers. Within the United States and the District of Massachusetts, illegal drugs and drug money are often transported, among other ways, using the United States mails.

6. I submit this affidavit in support of an application for a criminal complaint charging Revel Pedro RIVERA, born 1978, with attempt to possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(B)(ii)(II).

7. As detailed below, there is probable cause to believe that on or about July 6, 2020, RIVERA knowingly and intentionally attempted to possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine in Southbridge, Massachusetts.

8. The information set forth in this affidavit is based on an investigation conducted by law enforcement agents, including myself. I have reviewed certain reports prepared by other law enforcement officers regarding their observations, and have had conversations with other law enforcement agents regarding other facts developed during this investigation. This affidavit is intended to establish sufficient probable cause for the issuance of the requested criminal complaint and does not set forth all of my knowledge about this matter.

**RELEVANT STATUTES**

9. Title 21, United States Code, Sections 841(a)(1) and 846, collectively, provide that it is unlawful to attempt to possess with intent to distribute a controlled substance. Cocaine is a Schedule II controlled substance. 21 U.S.C. § 812. Title 21, United States Code, Section 841(b)(1)(B)(ii)(II) imposes *inter alia* a five-year mandatory minimum and up to forty-year term of incarceration if the offense involves 500 grams or more of a mixture and substance containing a detectable amount of cocaine.

**STATEMENT OF PROBABLE CAUSE**

10. On June 29, 2020, DEA and USPIS received intelligence that a USPS Priority Mail package bearing tracking number 9505 5103 3171 0181 2974 68, which originated in Vega Alta, Puerto Rico had been mailed on this same day, destined for “115 High St. Apt 1, Southbridge, MA 01550” (hereinafter the “Target Package”).

11. On June 30, 2020, Postal Inspector David Breton queried the Thomson Reuters CLEAR investigative database in an attempt to identify the sender and the intended recipient of the Target Package.

12. According to the CLEAR investigative database, “HC-80 Box 8026, Dorado, P.R 00646” is a valid address in Puerto Rico, but no one by the name “Luis Oluio” has used or currently uses that mailing address.

13. According to the CLEAR database, the address of “115 High Street, Southbridge, MA 01550” is a valid address, but no one by the name “Mariela Cabrera” currently resides or has resided at that address.

14. Further, according to records maintained by the USPS, “115 High Street Apt 1R” is a valid address in Southbridge, MA, but no one by the name “Mariela Cabrera” has received or currently receives mail at that address.

15. According to a USPS employee, “115 High Street Apt 1R” is a valid address and the name “Z Cabrera” is located on the mailbox; however, nobody by the name “Mariela Cabrera” receives “regular” mail there. According to the USPS employee, the postal service has previously delivered “a few” packages addressed to “Mariela Cabrera” at that address.

16. On June 20, 2020, a Southbridge Police officer responded to the 115 High Street, Apartment 1 to investigate a call concerning illegal fireworks. During the course of the investigation, the police officer identified RIVERA as a resident of Apartment 1. The investigation further revealed that RIVERA’s girlfriend, her adult son, and another child also live in the apartment.

17. On July 3, 2020, an agent from United States Postal Inspection Service intercepted the Target Package at the Central Massachusetts P&DC located at 192 Main Street, Shrewsbury, Massachusetts.

18. On July 6, 2020, based upon the continued investigation, agents sought and obtained a search warrant for the Target Package. When agents opened the package, they discovered approximately one kilogram of a substance that field-tested positive for the presence of cocaine hydrochloride. They replaced the cocaine with sham and resealed the Target Package in preparation for a controlled delivery.

19. While en route to 115 High Street, Postal Inspector David Breton was contacted by a mail carrier. The mail carrier relayed to Inspector Breton that RIVERA had asked about a package that RIVERA was expecting.

20. Inspector Breton subsequently dressed as a U.S. Mail Carrier. At approximately 2:52 PM, Inspector Breton drove a USPS assigned vehicle to 115 High Street and parked in front of the residence.

21. Postal Inspector Breton exited the vehicle carrying the Target Package and he proceeded up the front porch of 115 High Street. He rang the doorbell and heard a female from within yell "the mail man is here."

22. Shortly thereafter, Inspector Breton was approached by RIVERA. Inspector Breton stated that he had a package for a Mariela Cabrera and RIVERA replied, "that's a package for the woman upstairs, I can take it."<sup>1</sup> Inspector Breton stated there has been package thefts lately and it would not be safe to leave the package. RIVERA replied by saying "I will call her. Hold on."

23. Postal Inspector Breton witnessed RIVERA appear to make a call on his cellphone, and ask aloud, "Do you want me to take your mail?" RIVERA then pulled the phone away from his ear, and then stated to Inspector Breton, "she said you can leave the package with me."

24. Inspector Breton scanned the package as delivered at approximately 2:55 p.m. and handed it to RIVERA. Inspector Breton then exited the area in the postal vehicle. As he was pulling away, Inspector Breton observed RIVERA sitting on the front porch of 115 High Street holding the Target Package.

25. Shortly thereafter, and without going back into the residence, RIVERA entered his vehicle and drove away with the Target Package. Agents stopped him and placed him under arrest shortly thereafter.

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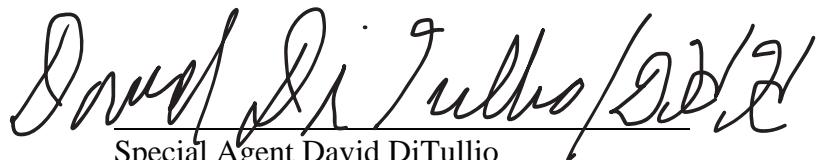
<sup>1</sup> There is nobody named "Cabrera" listed on the mailboxes for the other apartments at 115 High Street.

26. In my training and experience, the possession of approximately one kilogram of cocaine is more consistent with an intent to distribute some or all of that cocaine than it would be for personal use.

**CONCLUSION**

WHEREFORE, based on the foregoing facts, I respectfully request that the Court issue a criminal complaint charging Revel Pedro RIVERA with attempting to possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(B)(ii)(II).

Sworn to under the pains and penalties of perjury,



Special Agent David DiTullio  
Drug Enforcement Administration

Sworn to via telephone in accordance with Federal Rule of  
Criminal Procedure 4.1 on July 7, 2020: 9:12 a.m.



Honorable David H. Hennessy  
United States Magistrate Judge

